

REMARKS/ARGUMENTS

Applicants have received the Office Action dated April 16, 2008, in which the Examiner rejected claims 1-19 under 35 U.S.C. § 103(a) as obvious over Fuh (U.S. Pat. No. 6,463,474) in view of Noy (U.S. Pat. No. 6,539,540). Applicants traverse the rejections. Based on the following arguments, Applicants believe this case to be in condition for allowance.

Fuh is directed to “a method of controlling access of a client to a network resource using a network device that is logically interposed between the client and the network resource.” Col. 3, ll. 1-4. Fuh further explains that the network device contains client authorization information that specifies whether a particular client is permitted access to the network resource. Col. 3, ll. 6-8. The network device receives a request from the client and compares the request to the client authorization information to determine if the client should be permitted access to the network resource. Col. 3, ll. 11-18. The network device, interposed between the client and the network resource, is thus a “traffic cop” that decides whether to let the client request pass through to the network resource.

The Examiner relies on the following passage from Noy:

Often, an SNMP manager will periodically poll an agent in order to detect changes in the MIB information for a particular network device. This is currently accomplished by the SNMP manager creating a request message for specific MIB information each time it polls the agent and then sending the request to the agent. In response, the agent formats a response message that includes the requested MIB information and sends the response to the manager. The manager then deconstructs the response message to derive the MIB information and compares the information to previously acquired information or baseline information in order to detect any differences.

Col. 1 lines 30-41.

Claim 1 requires, in part, “a data communication means for...retrieving a user access list from said agent.” The user access list retrieved from the agent is then, per the claim, compared to an “authorized access list.” The Examiner has concluded that Fuh does not teach retrieving a user access list from an agent. Instead, the Examiner turned to Noy at col. 1 lines 30-41. This passage of Noy

says that “an SNMP manager will periodically poll an agent in order to detect changes in the MIB information for a particular network device.” Col. 1 lines 30-32. Applicants do not find any teaching in Noy as to what sort of changes in MIB information are to be detected by polling the agent. The cited passage of Noy does not teach or even suggest retrieving a user access list from an agent. Thus, none of the art of record teaches a means for retrieving a user access list from an agent.

Claim 1 also requires a means for comparing said user access list to said authorized access list and “for updating said authorized access list based on the user access list retrieved from said agent.” The Examiner concluded that Fuh lacks a means for updating an authorized access list and, instead, turned to Noy. Noy, however, lacks any such teaching. Noy teaches comparing the MIB information to “previously acquired information or baseline information in order to detect any differences.” Col. 1 lines 39-41. Noy does not teach updating any such information.

On page 4 of the Office Acton, the Examiner stated that it would have been obvious to one of ordinary skill in the art...to combine Noy’s known method of optimizing network management protocols with Fuh’s network management system.” Applicants disagree. Fuh relates to an intermediate network device that intercepts requests from a client destined for a network resource and verifies whether the client has authorized access to the network resource. Fuh has no teaching of polling the network device and has no need for such polling. Further, Fuh has no need to access the network device in determining whether the client request can be passed through to the network device. Thus, there would be no benefit in combining Noy’s agent-poling protocol with Fuh’s client request validation protocol. The resultant combination would make no sense and would not be performed by one of ordinary skill in the art, absent hindsight gleaned from the Applicant, which is impermissible. Applicants believe the Examiner has run afoul of this prohibition.

For at least these reasons, claim 1 and all claims dependent thereon are in condition for allowance over Fuh in view of Noy.

Claim 5 requires “periodically polling an agent and retrieving said user access list.” The Examiner concluded that Fuh lacks a teaching of retrieving a user access list. Noy, however, is deficient in this regard as explained above. For these reasons, claim 5 and its dependent claims are in condition for allowance.

Dependent claim 6 requires updating the authorized access list based on said user access list retrieved from the service node. Fuh lacks any teaching whatsoever of updating a user access list.

Claim 13 is patentable for some or all of the same reasons specified above. For example, claim 13 requires periodically retrieving the agent’s user access list, a feature which is missing from Fuh and Noy, as explained previously.

Claim 18 requires means for “retrieving a user access list from said agent” which, as explained above, is missing from Fuh and from Noy. Claim 18 also requires updating the authorized access list based on the user access list from the agent. The Examiner concluded that Fuh lacks these limitations. Noy also lacks these limitations as explained above. For at least these reasons, claims 18 and 19 are allowable over Fuh.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including

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fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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